

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

TONY LEE SMITH,

Plaintiff,

v.

GOVERNOR BOB RILEY, et al.,

Defendants.

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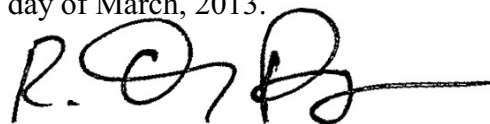
**2:10-CV-2583-RDP-RR**

**MEMORANDUM OF OPINION**

The Magistrate Judge filed a Report and Recommendation on February 7, 2013, recommending that Defendants' motion for summary judgment be granted and this case be dismissed with prejudice. Plaintiff filed objections on March 4, 2013. Plaintiff objects to specific findings of the Magistrate Judge by merely restating arguments he made in earlier documents and referring the court to information he provided previously.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the Report and Recommendation and the objections filed by Plaintiff, the court is of the opinion that the Magistrate Judge's Report is due to be and is hereby **ADOPTED** and his Recommendation is **ACCEPTED**. The court **EXPRESSLY FINDS** that there are no genuine issues of material fact and that Defendants are entitled to judgment as a matter of law. Accordingly, Defendants' motion for summary judgment is due to be granted and this action is due to be dismissed with prejudice. A Final Judgment will be entered.

**DONE and ORDERED** this 14th day of March, 2013.



**R. DAVID PROCTOR**  
UNITED STATES DISTRICT JUDGE